

State Restriction of Appointments

You can also view this document as [a series of web pages](#).

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SROA Information on the Web

Surplus/SROA Lists

- [By Class](#)
- [By Department](#)

Super SROA Lists

- [BU 2](#)
- [BU 9](#)

Forms

- [Scantron Form](#) (PDF)
- [SROA/ISAWP Worksheet](#) (PDF)
- (HR Staff Only - PIE) [SROA/Surplus Certification Letter](#) (PDF) | [Word Document](#)

Other Information

- [Layoff Manual](#)
- [Reemployment](#)
- [Rights and Options upon Termination of Exempt or CEA Appointment](#) (PDF)
- (HR Staff Only - PIE) [Demotional Charts](#)

Overview

The surplus/SROA process helps prevent layoffs.

When you're facing layoffs, you go on a surplus/SROA list. You have 120 days to find a new job. If, at the end of that time, you're actually laid off, you go on a reemployment list for your class.

A department must hire employees on the reemployment list, if one exists for a class. If not, the department must hire any eligible surplus/SROA employees.

Policy Change

June 3, 2009: Effective immediately, employees on State Restrictions of Appointment (SROA) lists have unlimited waivers. See [PML 2009-026](#).

Employees

Employees facing layoffs need to know their surplus/SROA rights and responsibilities.

Your main responsibilities as an employee are

- read and keep your surplus/SROA certification letter,
- sign and return your Scantron form,
- find a new job,
- accept job offers, and
- keep your information current.

You may also need to know some other information about

- leaving the surplus/SROA process,
- promotions,
- limited-term and temporary employees,
- part-time and intermittent employees,
- Career Executive Assignments, and
- ISWAP.

Read and Keep Your Surplus/SROA Certification Letter

The surplus/SROA process begins when you get a certification letter. The letter tells you you're a surplus employee. A copy of a completed Scantron form comes attached to the letter.

You'll need to keep the letter and provide a copy of it to perspective employers. The letter explains your rights. The letter also tells you who to contact if you have questions.

Sign and Return Your Scantron Form

You need to

- sign and date the copy of the Scantron form and
- return the copy.

You can use the Scantron form to

- show your interest in a position that needs a second language,
- ask for surplus/SROA status in more locations, or
- choose not to use the surplus/SROA process. If you opt out, you won't have preference if you try to find a new job.

Find a New Job

Once you get your certification letter, you have 120 days to find a new job. You should seek out and apply for vacant State jobs. The [Vacancy Search page](#) on the State Personnel Board's website can help you find vacancies.

You can apply to any job that

- you feel qualified to do and
- you can transfer into.

For example, if you're an Associate Governmental Program Analyst, you can apply for a vacant Associate Personnel Analyst position.

You'll also go on an SROA list for your class and location. Departments hiring your class may send you contact letters.

When you apply for a job, attach a copy of your certification letter to your job application. If you're called in for an interview, bring a copy of the letter with you.

Accept Job Offers

You have two days to decide whether to accept a job offer.

You must accept any valid job offer. A valid job offer is

- in one of the locations where you said you'd work and
- in your current class or a closely related class in which you could expect to succeed.

The first time you refuse a job offer, DPA will investigate. If DPA finds you refused a valid job offer, you'll receive written notice that you must accept the next one.

The second time you refuse a valid job offer, you'll lose your hiring preference. The hiring department will remove you from the surplus/SROA process.

Keep Your Information Current

You can update your phone number and change the locations where you're willing to work. Contact either

- your personnel office at the number on your certification letter or
- the SPB Certification Unit.

SPB Certification Unit
801 Capitol Mall, Room 360
Sacramento, California 95814

Other Information

Leaving the Surplus/SROA Process

When you leave the surplus/SROA process, you lose your hiring preference.

Voluntary

You can leave the surplus/SROA process voluntarily. Contact your personnel office at the phone number on your certification letter. If you change your mind later, you can only rejoin the process if your department is still laying off employees.

Also, the time you were in the surplus/SROA process counts against your 120 days.

Involuntary

A department can remove you from the surplus/SROA process if you

- don't schedule or appear for an interview, or
- refuse a second valid job offer.

Also, you will leave the surplus/SROA process automatically after 120 days.

After You Accept a Job

The hiring department will remove you from the surplus/SROA process when you accept a job.

Limited term and temporary jobs don't count.

Promotions

You can't promote to a vacant position until the hiring department clears all the eligible surplus/SROA employees. The department must give preference to surplus/SROA employees who can transfer into the position.

Limited Term and Temporary Employees

If

- you're a limited term or temporary employee and
- you've never had permanent status,

you aren't eligible for the surplus/SROA process.

Part-Time and Permanent Intermittent Employees

If you're a part-time or permanent intermittent employee, contact your personnel office to find out if you're eligible for a full-time permanent position. (See the Personnel Management Policy and Procedures Manual, Section 380.)

If you're not eligible for a full-time permanent position, a department can only hire you to another part-time or intermittent position.

Career Executive Appointments

If you hold a CEA position about to be abolished, your last job is important.

Consider your last job as a permanent or probationary employee. If that job doesn't exist anymore, your department should define an equivalent class for you. It can be any class with

- the same or lower salary,
- the same class concept, and
- real opportunities for employment.

If you would face layoff in your last job, you'll be able to join the surplus/SROA process.

CEA employees don't have enhanced surplus/SROA rights, but you may have enhanced reinstatement rights. (See your [Rights and Options upon Termination of an Exempt or CEA Appointment](#).) If you exercise enhanced reinstatement rights and later face layoff, you can participate in the surplus/SROA process.

ISWAP

ISWAP identifies employees who can't perform their current jobs due to injury or illness. ISWAP applies to employees

- with a permanent and stationary medical condition
- who can't perform the duties of their current class.

ISWAP employees don't have hiring preference, but hiring departments don't have to clear surplus/SROA lists to hire them.

If you're an ISWAP employee, you

- appear on up to six SROA lists instead of just one,
- appear after the SROA employees,
- remain on the list up to one year instead of 120 days, and
- can be hired without clearing surplus/SROA lists first.

Layoff Departments

When your department faces layoffs,

- submit a layoff plan to DPA,
- determine who's affected,
- complete SROA Scantron forms for employees,
- provide employees with surplus/SROA certification letters,
- maintain the surplus/SROA lists for your department, and
- investigate complaints about the surplus/SROA process.

You also need to know some other information about

- extending the surplus/SROA process,
- holding an employee after a job offer, and
- ending the surplus/SROA process.

Submit a Layoff Plan to DPA

The layoff process begins when you submit your layoff plan to DPA. Your layoff plan identifies which class are affected and in which locations.

Your layoff plan includes the

- classes that might be laid off
- locations where the layoff will occur
- total number of positions in each affected class
- number of positions you're abolishing for each class, by location,
- number of surplus employees by class and location,
- reason for the layoff,
- demotional charts, and
- effective date of layoff.

Determine Who's Affected

Seniority

Layoffs affect employees with the least seniority,

You can get a rough idea of which employees might be affected using vacation accrual rates. You can place employees in the surplus/SROA process based on these rough scores.

These scores are only estimates, though. You must obtain accurate seniority scores from DPA before you layoff or demote employees.

Surplus Lists

DPA will tell you which employees belong in the surplus/SROA process. DPA will publish the corresponding positions in the surplus lists by [class](#) and [department](#).

You can ask DPA to put all members of an affected class in the surplus/SROA process. In this case, all the employees will appear on the surplus lists.

Department-Specific Classes

Some classes may only exist in your department. Employees in department-specific classes can't go on an SROA list for their current class. They wouldn't be able to find a job in that class anywhere.

Instead, you should establish an appropriate SROA class for each employee in a department-specific class. Each employee can have one appropriate SROA class. Keep records showing the appropriate SROA class meets these criteria.

An appropriate SROA class

- has a salary range the same or lower than the current class,
- has essentially the same class concept, and
- is either
 - a service-wide class or
 - a department-specific class another department is actively hiring.

You may decide the appropriate SROA class is a department-specific class in another department. You must contact the other department to ensure the class concepts are the same, and that they're hiring that class. Keep records of your contact with the other department. Include the date of contact and name of the contact person.

Complete Scantron Forms for Employees

You must complete an [SROA Scantron form](#) for each affected employee. Please use a Number 2 pencil. Don't fold, bend, or staple the form.

List I and List II - Class Titles and Codes

List I is the last class in which the employee had permanent or probationary status.

List II only applies to employees in department-specific classes. Enter the title and code of the appropriate SROA class.

After You Complete the Scantron Form

After you complete the form, sign and date it. Put your job title on the signature line.

Copy the form.

Send the original to:

SPB Certification Unit
801 Capitol Mall, Room 360
Sacramento, California 95814

Attach the copy to the employee's Surplus/SROA certification letter.

Give Employees Surplus/SROA Certification Letters

Give the certification letter and copy of the Scantron form to the employee. The employee will sign and date the copy below your signature, then give it back to you. Keep the copy in an appropriate file.

Assist the employee in making changes to the Scantron form. Send any changes to SPB.

Maintain the Surplus/SROA Lists for Your Department

Employees will contact you to keep their information current. Also, an employee can opt not to participate in the process at any time.

Notify the SPB if an employee wants to make any changes, including leaving the process. Also notify your contact at DPA.

Also, notify DPA and SPB when

- your department is no longer laying off employees, or
- you determine a particular class no longer faces layoff.

DPA will work with SPB to update the surplus and SROA lists.

If a class no longer faces layoff, provide the

- names,
- classes, and
- Social Security numbers

of the affected employees.

Investigate Complaints about the Surplus/SROA Process

If you find a complaint has substance, forward it to your DPA contact.

Other Information

Extending the Surplus/SROA Process

Normally, an employee joins the surplus/SROA process for 120 days. After 120 days, the department can lay off the employee.

You can request that DPA extend the surplus/SROA process up to an additional 120 days.

Holding an Employee after a Job Offer

When a surplus/SROA employee accepts a job offer, work with the hiring department. Both departments will benefit if you release the employee as soon as possible. You can hold the employee for 30 days. (See SPB rule 425.)

When an employee accepts a job offer with a start date, the employee has the right to take the job. The employee stays in the surplus/SROA process until the job starts. This applies even if your department subsequently decides the employee isn't facing layoff.

Ending the Surplus/SROA Process

You can end the process by notifying the affected employees and DPA. Employees waiting to start new jobs stay in the surplus/SROA process until their new jobs start.

Hiring Departments

By hiring employees who would otherwise lose their jobs, you help the State avoid layoffs and demotions. You'll work with DPA and layoff departments.

All hiring supervisors and managers need to understand the surplus/SROA process.

When hiring,

- publish job bulletins,
- request the certified list,
- send contact letters,
- verify employees are in the surplus/SROA process,
- clear lists,
- get exemptions if necessary, and
- hire eligible employees.

You also need to know other information about

- exemptions from the surplus/SROA process,
- hiring department-specific classes,
- layoff department holds,
- probationary periods, and
- LEAP employees.

Publish Job Bulletins

Publish job bulletins to the widest possible audience. Focus on departments facing layoffs. Use the SPB vacancy search database (VPOS). Advertise jobs for a minimum of

- 5 days for servicewide classes or
- 10 days for department-specific classes.

Request the Certified List

Contact SPB and request the certified list of eligible employees for the class you're hiring. The certified list may include reemployment, SROA, and other lists.

The SROA list is good for 60 days. Other employees might be added to the list in the meantime, but you don't need to contact them. However, you do need to contact any employees newly added to the reemployment lists.

Interchangeable Classes

The Department of Finance designated some classes interchangeable. This allows employees in those classes to promote with less paperwork. (See SCO's [Payroll Procedure Manual](#), Section C 305.)

When you're hiring, you don't need to consider employees on a list for an interchangeable class. For example, AGPA, SSA (General), and Junior Staff Analyst (General) are interchangeable classes. If you're hiring an AGPA, you only need to work with the AGPA list.

Employees on Surplus Lists

The certified list only shows surplus/SROA employees on the list for a specific class. It won't necessarily show you all the surplus/SROA employees who are eligible for the job.

Any employee in the surplus/SROA process can apply to a job if the employee

- can transfer into the job and
- has skill and experience in the class.

Consider only skills and experience that will let the employee succeed in the job. If you decide an employee doesn't qualify, you must ask DPA for a special exemption.

For example, if you're hiring a Tax Auditor III, an AGPA may apply. If the employee has experience with professional tax accounting, complex audits, and financial examinations, the employee is qualified. You must give the employee the same status as someone on your SROA list.

If the employee lacks the needed skills and experience, the employee isn't qualified. You don't need to consider the employee. Document why the employee isn't qualified and send DPA a request for a special exemption.

Send Contact Letters

Send contact letters to employees on the SROA list. Always contact employees in writing. If you contact employees by phone, follow up in writing.

Verify Employees are Surplus/SROA

Check the surplus lists on DPA's website to verify employees are in the surplus/SROA process.

Clear Lists

The certified list may include reemployment, SROA, and other lists.

As you work through the names on a list, if you don't hire anyone from a list, you "clear" the list. You can then move on to the next list.

You must hire from the lists in a particular order. Certification rules govern how you treat names on each list.

List Order

Hire employees from your certified list in this order, which is the order in which names should appear:

- Reemployment
 - Subdivisional
 - Departmental
 - General
- Surplus/SROA
- Promotional
- Open

Technically, appointments from surplus/SROA lists are transfers, not list appointments. Surplus/SROA employees take precedence over all promotional and open list appointments. (See Government Code Sections 19052 and 19054.)

Certification Rules

Certification rules govern how you treat names on each list. (See SPB's [Eligible List Disclosure FAQs](#).)

The certification rules for each list are

- Reemployment
 - Subdivisional - rule of one name
 - Departmental - rule of one name
 - General - rule of three names
- Surplus/SROA - rule of the list

Rule of the List

Rule of the list means all employees on the list are eligible for employment regardless of where they appear on the list. Rule of the list applies to Surplus/SROA lists.

Rule of One Name

Rule of one name means only the employee whose name appears first is eligible for employment. Rule of one name applies to subdivisional and departmental reemployment lists.

Rule of Three Names

Rule of three names means the employees whose names appear in the top three positions are eligible for employment. Rule of three names applies to general reemployment lists. If there are less than three names, the hiring department can appoint anyone on the SROA list.

Surplus/SROA Lists

When you reach the SROA list, you must hire an SROA employee if one is on the list. All Surplus employees have the same status as employees on your SROA list.

ISWAP

You can hire an ISWAP employee without clearing the SROA list.

Clear the SROA List

To clear an SROA list,

- remove anyone who refuses a job offer, and
- get exemptions for employees you won't hire.

If there are any names left on the SROA list, you must hire one of them. If none are left, move on to the next list.

Clear Employees from the SROA List

Clear an employee from the SROA list when the employee either

- accepts a job from another department,
- waives eligibility for the job, or
- accepts the job you're offering.

Part-Time and Permanent Intermittent Employees

If you're hiring for a full-time position, part-time and permanent intermittent employees may not be eligible. They must be qualified for full-time work to apply. (See the Personnel Management Policy and Procedures Manual, Section 380.)

Hiring Non-Surplus/SROA Employees

Once you clear the SROA list, if no surplus employees express interest in the job, you can hire a non-surplus/SROA employee. You don't need approval from DPA.

Get Exemptions If Necessary

If you don't hire a surplus/SROA employee, you need an exemption. See [Exemptions](#) for details.

Hire Eligible Employees

You can hire eligible employees from the surplus/SROA list. If you clear the surplus/SROA list, you can hire a non-surplus/SROA employee.

Other Information

Hiring Department-Specific Classes

An employee may face layoff from a department-specific class. The layoff department may choose a different appropriate SROA class, if one exists. The layoff department may decide the appropriate SROA class only exists in your department. The layoff department must then contact you to ensure the class concepts are the same.

Work with layoff departments to hire surplus/SROA employees in department-specific classes. You must advertise jobs in department-specific classes for 10 days.

Layoff Department Hold

When you hire a surplus/SROA employee, work with the layoff department to determine when the employee can start work. Both departments will benefit if the layoff department releases the employee as soon as possible. The layoff department can hold the employee for 30 days (see SPB rule 425).

Probationary Period

You can require a surplus/SROA employee to serve a new probationary period. This doesn't apply if the employee already completed probation in the same class in your department.

If you reject the employee during probation, the employee goes back to the layoff department.

LEAP Employees

You must clear the surplus/SROA list before you can hire a LEAP employee. When a LEAP employee completes the training period, you can appoint the employee to a permanent position. You don't need to clear the surplus/SROA list again.

When Can You Bypass the Surplus/SROA Process?

You do not need to use the surplus/SROA process or clear the surplus/SROA list to

- hire an employee from a reemployment list,
- hire a surplus/SROA employee,
- hire an ISWAP employee,
- hire a retired annuitant,
- hire a seasonal clerk, student assistant, graduate student assistant, or casual trades employee,
- demote an employee in lieu of layoff in the same department,
- make an emergency appointment,
- hire an LT employee for less than three months,
- mandatorily reinstate an employee to the same class in the same department,
- permissively reinstate an employee after a layoff,
- provide reasonable accommodation of a disabled employee,
- transfer or assign for T&D an employee in the same department, whether in the same or different class,
- allow a voluntary demotion in the same department,
- promote an employee in place,
- give an employee an out-of-class assignment,
- bypass an employee with a documented performance problem,
- transition a LT employee to permanent status in the same position, or
- transition an employee from reduced time to full time in the same class and department.

You must clear the surplus/SROA list to

- hire an LT employee for a project of three to nine months,
- hire a LEAP employee,
- increase an employee's time base,
- promote an employee,
- transfer, voluntarily demote, or assign an employee for T&D to another department, and
- hire for a critical need. You can ask DPA to make an exception in this case.

DPA's Role

DPA administers the surplus/SROA process. DPA develops and maintains surplus/SROA rules and policies.

In addition, DPA will

- evaluate layoff plans,
- publish and maintain surplus lists,
- make exceptions,
- grant extensions,
- review special exemption requests, and
- work with layoff and hiring departments.

DPA also works to ensure compliance with the surplus/SROA process. DPA will

- enforce agreements in bargaining unit contracts,
- audit appointments to layoff classes,
- correct surplus/SROA violations, and
- investigate reasons a surplus/SROA employee turned down a job

Evaluate Layoff Plans

On receiving a layoff plan, your DPA classification analyst recommends

- which classes should be surplus/SROA and
- the number of employees to be included in the surplus/SROA process.

In case of a large layoff, DPA may put an entire department in surplus. DPA and the layoff department will be careful to retain enough employees to maintain the department's mission.

Seniority

DPA provides layoff departments with accurate seniority scores.

Recommend Employees for the Surplus/SROA Process

For each at-risk position, DPA will recommend the three least-senior employees for the surplus/SROA process.

For example, if a department abolishes six positions, DPA will recommend the 18 least-senior employees for the surplus/SROA process.

DPA can allow more employees in the surplus/SROA process if doing so prevents the layoff or demotion of other employees. (See DPA Rule 599.854.1.)

Publish and Maintain Surplus Lists

DPA publishes surplus lists by [class](#) and [department](#). DPA publishes these lists as soon as it puts a department in layoff mode.

A layoff department notifies DPA when it's no longer laying off employees. DPA removes the employees from surplus lists. DPA works with SPB to remove the employees from the SROA lists.

Make Exceptions

In a large layoff or other unusual circumstances, DPA can make exceptions. DPA decides whether to make exceptions to the surplus/SROA process on a case-by-case basis.

Involuntary Transfer

Some employees can stay employed by the agency if they transfer to another class or location. They might not belong in the surplus/SROA process.

Program Leaves State's Jurisdiction

Employees in a program that leaves the State's jurisdiction might not belong in the surplus/SROA process.

Grant Extensions

A layoff department can request that DPA extend the surplus/SROA process for up to an additional 120 days.

DPA may grant an extension if many employees in the surplus/SROA process haven't found jobs. If the employees have hard-to-place classes or work in remote locations, an extension may help.

Review Special Exemption Requests

When a hiring department requests a special exemption, DPA reviews the request. DPA may grant or deny the request, or ask for more information. DPA may ask the hiring department to show its history of participation in the surplus/SROA process.

Work with Layoff and Hiring Departments

DPA encourages departments to work together.

Early Release of Surplus/SROA Employees

When surplus/SROA employees get a new job, DPA encourages layoff departments to release them as soon as possible. Both the layoff and the hiring department will benefit.

Department-Specific Classes

Surplus/SROA employees in department-specific classes must go on the SROA list for another appropriate class. It's possible the layoff department will decide the appropriate SROA class is only employed in another department. DPA will work with the layoff and hiring departments to determine an appropriate SROA class. If there's any difference of opinion, DPA will help resolve it.

Ensure Compliance with the Surplus/SROA Process

Enforce Agreements in Bargaining Unit Contracts

The State's contracts with employee unions can supersede the surplus/SROA process.

Super SROA - Bargaining Units 2 and 9

See the [section on Super SROA](#).

Audit Appointments to Layoff Classes

DPA audits appointments made to layoff classes to ensure departments follow the surplus/SROA process. DPA will investigate and correct any violations.

Correct Surplus/SROA Violations

DPA investigates alleged violations of the surplus/SROA process. DPA and SPB work together to correct policy or rule violations

Violations Due to Clerical or Procedural Errors

A department may hire an employee improperly due to a clerical or procedural error. If the department hired the employee in good faith, DPA will let the appointment stand.

Violations of Policy or Rules

A department may hire an employee in violation of surplus/SROA policies or rules. DPA will tell the department what it did wrong and spell out the corrective action. DPA may work with SPB to rescind the appointment.

Investigate When a Surplus/SROA Employee Turns Down a Job

DPA determines whether the employee had valid reasons to turn down a job offer. DPA lets the layoff department know its findings. The layoff department then notifies the employee in writing.

A surplus/SROA employee can turn down one job offer without valid reason. The second time, DPA will notify both the employee and the layoff department. The layoff department will remove the employee from the surplus/SROA process.

SPB's Role

SPB facilitates the surplus/SROA process. SPB will

- collect Scantron forms,
- create, maintain, and provide certified SROA lists,
- answer calls,
- rule on appeals, and
- rescind appointments.

Collect Scantron Forms

Layoff departments send SROA Scantron forms to SPB. SPB uses the Scantron forms to create SROA lists. SPB then returns the forms to the layoff departments.

Create, Maintain, and Provide Certified SROA Lists

Using the Scantron forms, SPB creates the SROA lists. SPB maintains the information on the lists. When hiring departments request certified lists, SPB provides them.

When a department lays off or demotes an employee in lieu of layoff, SPB removes the employee from the SROA list. SPB places the employee on the reemployment list instead.

SPB removes employee names from SROA lists after 120 days.

Answer Calls

SPB answers calls from hiring departments. SPB can tell a department whether an employee is in the surplus/SROA process.

Rule on Appeals

When DPA alleges that a hiring department violated surplus/SROA policy or rules, the hiring department can appeal to SPB. SPB will determine if the hiring department acted appropriately.

Rescind Appointments

SPB has the power to rescind appointments. SPB may do so if a hiring department hired an employee in violation of SROA policy or rules.

Super SROA - Bargaining Units 2 and 9

Employees in bargaining units 2 and 9 are entitled to use the super SROA process. This process enhances the benefits of the normal surplus/SROA process. These employees gain all the benefits of the surplus/SROA process plus some extra ones.

Who's Eligible for Super SROA?

To be eligible for super SROA, an employee must

- be in bargaining unit 2 or 9, and
- face layoff, demotion, or transfer.

Also, there must be a vacant position that meets all these criteria.

- Same bargaining unit.
- In a county touching the county where the employee works.
- Salary and responsibility level in transfer range for employee.
- The employee meets the minimum qualifications. The MQs must be those spelled out in the class specification.

Employees in Bargaining Units 2 or 9

If you're a member of one of these bargaining units, you should

- sign and return your Scantron form,
- respond to job bulletins within five days,
- determine if you're eligible for super SROA, and
- use the regular surplus/SROA process to find a job if you're not eligible for super SROA.

Laying off Super SROA Employees

Follow the surplus/SROA process for laying off these employees, with these additional steps.

- Personally contact each employee in BU 2 or 9 by email or phone to tell them about vacancies. If you can't contact employees directly, contact their supervisors.
- Provide employees with copies of job bulletins immediately after you contact them. For example, you can fax bulletins to the employees.
- Tell qualified employees to send job applications to the hiring department within five days.

Hiring Employees in Bargaining Units 2 and 9

Follow these steps to hire an employee in BU 2 or 9.

- Order certification lists for the class you're hiring.
- Advertise the job widely. Use the SPB vacancy search database (VPOS). Post job bulletins in your department.
- Check the super SROA listings.

- [BU 2](#)
- [BU 9](#)
- Use the listing to contact layoff departments with employees who might qualify for the job. Give the layoff departments the class, number of positions, location, and salary of the job.
- Send the layoff departments a job bulletin.
- Hire qualified super SROA employees, if any apply.
- If you can't hire a qualified super SROA employee, use the regular surplus/SROA process.

If you believe a super SROA employee isn't qualified based on the MQs, you must request a special exemption from DPA.

DPA's Role in Super SROA

DPA

- maintains the super SROA listings on DPA's website,
- ensures employees in BU 2 and 9 who aren't eligible for super SROA still benefit from the surplus/SROA process, and
- ensures departments comply with super SROA rules.

Exemptions

A hiring department can get exemptions from the surplus/SROA process. Exemptions can be by policy or special exemptions. Policy exemptions don't need DPA's approval. Special exemptions must be approved by DPA.

Policy Exemptions

You don't need to ask DPA for policy exemptions. (See DPA Rule 599.854.4.)

Basic Policy Exemptions

- Mandatory reinstatement to the same class in the same department.
- Voluntary demotion in the same department.
- Transfer or training and development assignment to the same or different class in the same department.
- Permanent appointment in the same position of an employee in a T&D assignment.
- Appointment of a retired annuitant.
- Reasonable accommodation. Maintain records of the accommodation request, doctor's statements, and analysis.
- Emergency appointments. Maintain records of the emergency, duty statements, and assignments.
- Permissive reinstatement after layoff. An employee who's been laid off or demoted in lieu of layoff may permissively reinstate to a different class.
- Appointment to a full-time position from a reduced work time in the same class and department. This only applies to permanent, full-time employees who reduced their time under the Reduced Working Act.
- Seasonal clerks, student assistants, graduate student assistants, and casual trades classes.
- Out-of-class assignments.
- Limited-term appointment of less than three months.
- Transition of a limited-term employee to a permanent position. This only applies if the limited-term employee was in the surplus/SROA process when appointed.

Other policy exemptions require more explanation.

Appointment of a Limited-Term Employee to a Permanent Position

If there was no surplus/SROA list for the class when the LT employee was appointed, you can appoint the employee to the permanent position.

Otherwise, this exemption only applies if

- the limited-term employee was in the surplus/SROA process when appointed and
- you announced that the job would be permanent if specific events occurred. For example, the job depends on federal funding. When the funding comes through, the job becomes permanent.

Also, a department can't appoint an LT employee to a permanent position in a class and location that's facing layoff.

Employee with a Documented Performance Problem

The employee must have received a score less than satisfactory in the employee's current class. Documentation can be

- a performance report during the last 12 months with improvement needed or unsatisfactory in either
 - the overall rating or
 - a critical factor in the class (for example, a supervisor whose supervisory skills are unsatisfactory),
- rejection during probation within the last three years,
- a formal adverse action within the last three years, if the action relates to job performance, or
- letters of correction from supervisors.

Promotions in Place

You can promote an employee in place if

- there's no vacancy,
- there's no change of position, assignment, or supervisory/subordinate relationship, and
- the promotion is typical.

Consider vacancies in the employee's current position, not the new, promoted position. For example, an Office Services Supervisor I position has grown until it's more appropriately classified OSS II. If this is the only OSS I position in the department in that location, there's no vacancy. On the other hand, if there's a vacant OSS I position, you can't use this exemption. Instead you could place the current OSS I employee in the vacant position and use the surplus/SROA list to hire a new OSS II.

A typical promotion means the majority of employees in one class have promoted from the other. For example, an OSS I promoting to an OSS II is typical.

Interchangeable classes, such as SSA and APA, meet the criteria for promotions in place.

Special Exemptions

DPA may grant special exemptions for extraordinary circumstances. You must request special exemptions in writing. DPA must approve them in advance. DPA does not grant blanket special exemptions. (See DPA Rule 599.854.4.)

Limited Term Appointments

This applies to project-based jobs that will last three to nine months with no possibility of permanent appointment. Submit a special exemption request to DPA. Include

- a description of the project,
- a description of the end product,

- an explanation of why you can't use the surplus/SROA process, and
- a copy of the duty statement.

DPA may rarely grant extensions of LT appointments. If you need an extension, submit the request to DPA with

- an explanation of why you need to extend the project,
- how much extra time you'll need,
- analysis showing you've requested enough time to complete the project, and
- a description of the consequences of not extending the appointment.

Transfers, Voluntary Demotions, or T&D Assignments to Different Departments

You can hire a non-surplus/SROA employee without clearing the surplus/SROA list if the employee

- transfers, demotes, or accepts a T&D assignment with your department,
- comes from a different department, and
- the employee's old department commits to replace the employee with a surplus/SROA employee.

Submit a special exemption request to DPA. Include

- the class at your department and
- a signed statement from the employee's old department. The statement commits the department to hiring a surplus/SROA employee. It also must state the other department will not request an exemption.

Other Special Exemptions

DPA may grant other special exemptions to meet critical hiring needs for the most sensitive positions. (See DPA rule 599.854.4.)

Submit a special exemption request to DPA. Include

- why you have a critical need to hire,
- why you can't use the surplus/SROA process,
- a statement that you interviewed all interested surplus/SROA employees,
- job applications from the surplus/SROA employees,
- the job application of the person you propose hiring,
- analysis showing why you can't hire one of the surplus/SROA employees,
- analysis showing why the person you propose hiring meets your needs,
- the duty statement, organization chart, and job opportunity bulletin, and
- the consequences of not granting the exemption.

If appointing the proposed person will create a vacancy, you must include an additional statement. You must state that you'll fill the vacancy with a surplus/SROA employee. If you can't, you must explain why.

DPA may ask for more information. For example, DPA may ask you for records of your department's previous participation in the surplus/SROA process.

Definitions

Appropriate SROA Class

An employee in a department-specific class who goes on an SROA list uses an appropriate SROA class instead.

An appropriate SROA class

- has a salary range the same or lower than the current class,
- has essentially the same class concept, and
- is either
 - a service-wide class or
 - a department-specific class another department is actively hiring.

CCD

DPA's Classification and Compensation Division handles layoffs, seniority scoring, and the surplus/SROA process.

Certification Rules

Hiring departments must use list certification rules when they hire employees. (See SPB's [Eligible List Disclosure FAQs](#).)

Clear a List

Clearing a list refers to using an SROA list to hire employees. To clear a list, the hiring department must

- remove anyone who refuses a job offer, and
- get exemptions for employees it won't hire.

If there are any names left on the SROA list, the department must hire one of them. If none are left, the department can move on to the next list.

Demotion in Lieu of Layoff

As an alternative to layoff, an employee may accept a demotion.

Demotional Pattern

A demotional pattern is the tree of lower-level classes an employee can demote to. A demotional pattern can be primary or secondary. A primary demotional pattern refers to an employee's actual class. A second demotional pattern refers to a closely associated class.

An employee may also have personal demotional rights.

Department-Specific Class

A department-specific class is one that only exists in one department. An employee facing layoff from a department-specific class can't reasonably get a job in that class. The employee uses an appropriate SROA class instead.

Eligibility

Only employees in danger of layoff or demotion in lieu of layoff are eligible for surplus/SROA status.

Hiring Department

A hiring department is filling vacancies. The surplus/SROA process works because some departments are hiring while other are laying off employees.

ISWAP

The Injured State Worker Assistance Program identifies employees who can't perform their current jobs due to injury or illness. ISWAP applies to employees

- with a permanent and stationary medical condition
- who are unable to perform the duties of their current class.

ISWAP employees don't have hiring preference, but hiring departments don't have to clear surplus/SROA lists to hire ISWAP employees.

Layoff Department

A layoff department is a department that's laying off employees. The department works with DPA to determine which employees are in danger of being laid off.

Layoff Mode

A department that's laying off employees is in layoff mode.

List Preference

Hiring departments must give first preference to employees on reemployment lists, followed by SROA lists. (See SPB's [Eligible List Disclosure FAQs](#).)

Mandatory Reinstatement

Some employees, particularly some CEAs, have mandatory reinstatement rights to their last jobs. Only mandatory reinstatements have preference over reemployment, and surplus/SROA list appointments.

Personal Demotional Rights

An employee may have personal demotional rights. The employee can demote to a former class if:

- the employee was permanent or probationary in the class,
- the class's salary is less than or in transfer range of the layoff class, and
- the layoff department uses the class in the same location as the layoff.

Primary Demotional Pattern

A primary demotional pattern is the tree of lower-level classes in the same series as the employee's class. For example, a Staff Services Manager I demotes to an associate-level analyst class, then to a Staff Services Analyst.

(HR Staff only) DPA publishes [demotional charts](#) on PIE.

Reemployment List

These lists show employees who have been laid off or demoted in lieu of layoff. A department must hire employees from a reemployment list in preference to any other list.

Rule of the List

Rule of the list is a certification rule that applies to surplus/SROA lists. It means everyone on the list is eligible for employment regardless of where they appear on the list.

Secondary Demotional Pattern

A secondary demotional pattern is the tree of lower-level classes that are similar to the employee's class. A second class must meet these criteria:

- similar knowledge and abilities (no more than six months retraining),
- doesn't require a certification or license (unless required by the layoff class),
- won't disrupt the department by eliminating all employees in a key program, and
- feeds into the original class or shares an entry class with it.

SROA

SROA stands for State Restriction of Appointments. SROA gives employees facing layoff hiring preference.

SROA Class

For most employees, the SROA class is the employee's current class. The SROA class is the last class in which the employee held a permanent or probationary appointment. For employees in department-specific classes (for example, "Nurse Evaluator III, Health Services") the layoff department establishes an appropriate SROA class.

SROA List

These lists show all surplus employees for a certain class in a certain location. An employee remains on an SROA list for a maximum of 120 days. Hiring departments get certified SROA lists from SPB. Hiring departments send contact letters to people on SROA lists. SROA lists may not be updated as quickly as surplus lists.

Super SROA

Super SROA applies to certain employees in bargaining units 2 and 9 who are facing layoff. It gives employees enhanced job preference rights in their own bargaining units in locations near to where they work.

Surplus

Surplus means facing layoff or demotion in lieu of layoff.

Surplus List

DPA publishes surplus lists on the DPA website. These lists show all surplus employees. Surplus lists may be updated faster than SROA lists.

Surplus/SROA Employee

Any employee who's received the Surplus/SROA Certification Letter is a surplus/SROA employee. A surplus/SROA employee has surplus/SROA status and enjoys hiring preference.

Surplus/SROA Status

Hiring departments must give employees with surplus/SROA status preference.

Surplus/SROA Process

The surplus/SROA process allows employees facing layoff or demotion in lieu of layoff a chance to find new jobs.